

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
SEAN MICHAEL CARROL-SMITH,)
Defendant.)
) 3:12-CR-092-HDM-(WGC)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on April 23, 2013, defendant SEAN MICHAEL CARROL-SMITH pled guilty to Count One of a One-Count Criminal Indictment charging him with Possession of a Firearm by a Convicted Felon in violation of Title 18, United States Code, Section 922(g)(1). Indictment, ECF No. 1; Change of Plea, ECF No. 24.

This Court finds defendant SEAN MICHAEL CARROL-SMITH agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. 24.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant SEAN MICHAEL CARROL-SMITH pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 1 1. a Remington, Model 597, .22 caliber semi-automatic rifle, serial number 275717;
- 2 2. a Marlin, Model 60, .22 caliber semi-automatic rifle, serial number 12366009;
- 3 3. a DPMS Panther, 5.56 x 45 mm caliber, semi-automatic rifle, serial number
- 4 FH110620;
- 5 4. a Springfield, model XDM, 9mm semi-automatic pistol, serial number MG803144;
- 6 and
- 7 5. a Savage, model SPFLD, 30/06 caliber, bolt action rifle, serial number H267208
- 8 ("property").

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
12 United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
14 SEAN MICHAEL CARROL-SMITH in the aforementioned property is forfeited and is vested in the
15 United States of America and shall be safely held by the United States of America until further order
16 of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
18 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
19 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
20 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
21 name and contact information for the government attorney to be served with the petition, pursuant to
22 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
24 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
25 Virginia Street, 3rd Floor, Reno, NV 89501.

26 ...

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Greg Addington
5 Assistant United States Attorney
6 100 West Liberty Street, Suite 600
7 Reno, NV 89501

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 30th day of April, 2013.

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14 _____
15 UNITED STATES DISTRICT JUDGE